

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

RODNEY HARPER, )  
                        )  
Plaintiff,           )  
                        )  
v.                     )       **No. 07-2412-STA-dkv**  
                        )  
DILLARD'S , INC., )  
                        )  
Defendant.           )

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**ORDER ADOPTING THE REPORT AND RECOMMENDATION TO DISMISS**

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Before the Court is Defendant Dillard's, Inc.'s Motion to Dismiss (D.E. # 26) filed on August 15, 2008. On October 21, 2008, the Court referred the Motion to the Magistrate Judge for a Report and Recommendation pursuant to Fed. R. Civ. P. 72(a) (D.E. # 28). On October 27, 2008, Magistrate Judge Diane Vescovo recommended that Defendant's Motion to Dismiss be granted (D.E. # 30). Plaintiff has failed to file any objections to the Magistrate Judge's Report and Recommendation within the ten (10) days permitted by Rule 72(b)(2). Therefore, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation, and the Motion to Dismiss is **GRANTED**.

**IT IS SO ORDERED.**

/s/ S. Thomas Anderson  
S. THOMAS ANDERSON  
UNITED STATES DISTRICT JUDGE

Date: November 20, 2008